

PARK HOTEL MAY LOSE BAR LICENSE

Proprietor Atkinson Convicted in Police Court for Selling Liquor to Minors.

COUNSEL APPEALS TO HIGHER COURT

New Witness, Nineteen Years Old, Swears He Bought Drinks in Rathskellar Saturday Night, Pollock Failing to Have Statement Rejected—Fined \$100.

STRONG affirmative evidence against negative testimony won the case yesterday evening in the Police Court against J. M. Atkinson, proprietor of the Park Hotel, and his counsel, Mr. Gilbert K. Pollock, in which a nineteen-year-old boy, Whitely Bynum, declared that he, too, bought drinks in the Park Hotel on the same night. Mr. Atkinson was fined \$100 by Justice Crutchfield and placed under \$500 security for ten months. His counsel, Mr. Gilbert K. Pollock, immediately took an appeal.

The case changed materially in its closing hours, when it was seen that the numerous witnesses for the defense, with their steady denials, served rather to strengthen than to weaken it. Mr. Pollock fought the case bitterly from beginning to end.

Made Quick Objection. He was on his feet in a moment when Commonwealth's Attorney Folkes asked young Bynum, the last witness, if he had had anything to drink on Saturday night.

"No, sir," exclaimed Mr. Pollock. "My client is charged with selling to these other four people, and Mr. Bynum's statement that he bought drinks in the Park Hotel that night is not evidence in this particular case."

But the warrant contained no names showing only that Mr. Atkinson was charged with selling liquor to minors on Saturday, January 9, 1909, and the boy's declaration was allowed to go.

Counsel for the defense insisted that Mr. Folkes was not discharging his full duty toward the defendant in admitting Bynum's statement. Mr. Folkes stated afterwards in his argument, however, that he was discharging his full duty toward both the defendant and the Commonwealth, adding that he was not a case of defending property interests, but of looking after the welfare of the children of the State.

The case is the most important of the liquor cases to come up since the new ordinance reducing the number of saloons to 150, or half the original number, went into effect. Conviction carries with it revocation of the license, and if the decision of Justice Crutchfield is upheld in the higher court, the Park Hotel liquor license will go on of existence or pass into other hands.

Liquor People Regret Trouble. It is the impression generally that the conviction yesterday met with the approval of the other liquor dealers, for they could hardly avoid recognizing the fact that the continuation of the evils with which the Park Hotel stands charged would do more damage to their interests than the loss of a dozen licenses. The case, however, will be fought to a conclusive finish in the State Court.

The court was crowded, as usual, when Justice Crutchfield resumed his seat and called the case. Four young men, who were in the hotel on Saturday night, testified that they were in the witness chair, but they knew nothing that could add or detract from the evidence previously adduced. Then Whitely Bynum was called. Mr. Folkes asked him if he had not taken a drink in the rathskellar. Mr. Pollock objected to a long argument ensued. Judge Crutchfield decided that the question was proper, and the boy admitted that he had taken a drink, that he with three others had been drinking around. Another witness testified that he saw Miss Moran drinking from a glass and he could not say what it contained.

As the last man testified and identified the girl she broke down and sobbed bitterly. With her childish face and her short dress, she excited the sympathy of the whole courtroom. She afterwards took a seat behind Mr. Folkes when he was delivering his argument, and the tears frequently streamed down her face.

No Property Interest at Stake. Mr. Folkes made an eloquent appeal for conviction. He declared that not only was the honor of the children of the State at stake, but that the interests of the liquor dealers was also at stake, and that large property interests had nothing whatever to do with the case. It was only a question as to whether the hotel had been sold to minors, and all the affirmative evidence brought in showed that minors had been served with liquor in the Park Hotel. He frequently rose to bursts of eloquence, and as he pointed out the little waf who had left the rathskellar in a drunken condition Saturday night and referred to the wrong that had been done here and her light in prison many times. He paid a high compliment to Policeman Sherry for helping the girl in her distressing situation and for his successful working up of the case.

Mr. Pollock spoke briefly. He criticized Mr. Folkes for an appeal to sentiment when it should have been only an appeal to reason. He referred to the testimony of the waiters and young men who had seen nothing, and then Justice Crutchfield immediately announced his decision, and the attorney for the defense noted an appeal.

In Hands of Receiver. NEW YORK, January 12.—J. Van Vechten O'Leary is to-day appointed receiver for the Mexican Sugar Refining Company (Ltd.) by Judge Holt in the United States District Court after an involuntary petition in bankruptcy had been filed.

The company has an extensive plant at Tlaxcala, Mexico. The liabilities are stated to be \$500,000.

WILL FOLLOW PRECEDENT

William Hayward Will Succeed Hitchcock as Chairman of Committee. AUGUSTA, GA., January 12.—Exact precedent is to be followed in the succession of Frank H. Hitchcock as chairman of the Republican National Committee. This precedent will place William Hayward, secretary of the committee, at its head until the committee meets at its annual meeting in December following. Mr. Hayward, who has held four years hence, in December preceding the next national election. When Chairman Cortelyou relinquished his post at the head of the committee, Mr. Hayward immediately became Postmaster-General, Harry S. New, its secretary, was made vice-chairman, and conducted the affairs of the committee while the party was in session prior to the December meeting called to make the arrangements for the call of the election of delegates to the national convention and for the holding of the convention.

That Secretary Hayward will have charge of the affairs of the committee when they are relinquished by Mr. Hitchcock was ascertained here from most reliable authority to-day, although no official statement on the subject is deemed necessary at this time. The rules and practice of the committee make it the duty of the chairman to provide his successor by appointment.

Go to Atlanta. The insistence of Atlanta to have the President-elect for the next several days resulted to-day in his consent to return to that city Saturday afternoon, to be present at a reception to be tendered him by the Capital City. He will go to Atlanta Friday morning and be the guest at the famous "possum" supper, for which preparations have been in active progress for several weeks.

He will leave Atlanta Saturday morning for Athens, where he will be formally received, and escorted to the State University for a address. He will then return to Atlanta, and after the reception begin his journey back to Augusta, where he will arrive Sunday morning.

He will then begin his golf game this morning that he might attend the meeting of the Richmond County Association. He made no speech to the lawyers, but indicated that he was in the proceedings, which were chiefly the reading of a lengthy paper by former Judge Andrew J. Cobb, of the State Supreme Court, on the jury system in Georgia.

Discusses Philippine Tariff. The Philippine tariff was discussed with Mr. Folkes today by William C. Gregg, a manufacturer and exporter of machinery, of Newburg, N. Y. J. H. White, of Louisiana, was re-named to the board of the National Committee, from that State. Mr. White made a social call.

He will leave here Thursday for New Haven, Conn., where he goes to attend a class function of her son, Robert, at Yale. She will return in time to sail with the President-elect for the Isthmus.

The tariff matter was dinner guests to-night of Boykin Wright, a prominent attorney of this city.

CAMERON FOUND GUILTY

He Is Convicted of Attempting to Bribe Pittsburgh Councilman.

PITTSBURGH, PA., January 12.—Charles P. Cameron, president of the Tube City Railway Company, who has been on trial for several days, charged with conspiracy and misdemeanor in attempting to bribe former City Councilman William A. Martin in connection with the passage of an ordinance granting a franchise to the Tube City Railway, was this afternoon found guilty as indicted.

The case came to an abrupt close late to-day, and the jury was out but fifteen minutes. Attorneys for Cameron gave notice of an appeal for a new trial, and the accused was held in \$20,000 bail, an increase of \$10,000, in which he was originally held.

Former Councilman W. A. Martin said he had been in selling his honor to Cameron, and that he considered it very cheap at \$20,000. That was the statement with which Martin concluded his testimony. When asked if he would not have had to distribute the money among some of his brother Councilmen, Martin naively said that perhaps he could have fooled them as Cameron fooled him.

VIRGINIANS APPOINTED

They Are Given Places on Important Committees of Association.

WASHINGTON, D. C., January 12.—The National Association of Railway Commissioners, Martin S. Decker, of Virginia, was elected to the position of vice-president. The full committee is as follows: Frank W. Stevens, of New York; Martin S. Decker, of Virginia; George E. Bishop, of Massachusetts; J. H. White, of Louisiana; O. B. Colquhoun, of Texas; B. H. Meyer, of Wisconsin; B. D. Whiting, of New Jersey. Virginians as follows are on the committees: Executive Committee, Robert R. Prentiss; car service and demurrage, Joseph E. Willard; safety appliances, Joseph E. Willard; delays and compensation, J. H. White; of railroad commissions, W. F. Rhea.

SITUATION COMPLICATED

Kern Sure of Election, But His Opponents Say Not.

INDIANAPOLIS, Ind., January 12.—Oleatham, a Democratic Senator to succeed James A. Hemenway, the situation to-night is as complicated as it has been for some time. The following names are in the running for the office: John W. Kern, 30; E. F. Shivel, 19; L. E. Slack, 19; John A. Lamm, 10; Edward C. Hoffman, 12; Major G. V. Menzies, 9. There are 83 Democratic legislators, making 14 votes necessary to nominate. John W. Kern declares he will be nominated on the third ballot, but his opponents, especially the supporters of Shivel, say Kern's strength will leave him on the second or third ballot.

LEGISLATURE IN SESSION

South Carolina Will Try to Pass State Prohibition Bill.

BONAPARTE TAKES HAND IN THE FRAY

Disputes Statement That Tillman Told Him of Desire to Buy Land.

WAS NOT AWARE OF PERSONAL INTEREST

South Carolina Senator Getting Material on "Roosevelt's Dark and Crooked Ways" for Promised Speech—Legislature Commends Him.

WASHINGTON, D. C., January 12.—Attorney-General Bonaparte to-night issued a statement replying to that part of the speech of Senator Tillman, delivered yesterday, in which he declared that the resolution in regard to the Oregon land grants, introduced by him in the Senate on January 21, 1898, had been prepared by the Attorney-General, and that his "interest in the matter had been first aroused by a desire to purchase some of the timber lands." Mr. Bonaparte also replies to Senator Tillman's remark, made in the Senate last February, that he had not "bought any land anywhere in the West, or undertaken to buy any."

Mr. Bonaparte sets forth that suits against those holding the Oregon lands involved in the case have been instituted since he took office, and that he has been informed by any one upon inquiry of his department any time within the past four months. Mr. Tillman had intimated that no steps had been taken, despite the resolution passed.

Disputes Statement. The Attorney-General disputes the Senator's statement that the latter had informed him in their conversation that it was the Senator's wish to acquire some of the lands. Mr. Bonaparte sets forth that he did not know Senator Tillman had any personal interest in the matter.

Says Mr. Bonaparte: "He never told me a word of any connection on his part with an arrangement to acquire some of the lands. He never told me that he intended to purchase any land, or that he intended, expected or even desired, at that time, to make any such purchase. As stated by him, his reason for making these inquiries was that he might better discharge his public duties, and I was totally ignorant until I saw the documents transmitted by the President to Senator Hale that Senator Tillman, at the time of his conversation with me, had any private interest in the matter, or in expectation, in connection with the subject of our conversation."

"I gave him a full statement of the information which had been collected by the department as the result of a protracted investigation made by Messrs. Townsend and McBlair, as special counsel, and which had continued during a considerable part of the preceding year. I told him also that we deemed it advisable to secure congressional action in the form of a resolution empowering the Attorney-General to claim a forfeiture of these lands; and that I felt some apprehension lest such action should be opposed by the large interests which it would affect."

Prepared Resolutions. "Senator Tillman then offered to introduce a resolution on the subject if I would prepare one, and I did prepare such a resolution, which was introduced by him, and subsequently adopted. During this interview I explained to him that it would be impracticable to compel the corporations claiming these lands to sell any particular portion of them to any particular person; although, on the contrary, if the government could establish a forfeiture of rights under the grant, the lands might become afterwards open to entry on the same terms as any other portion of the public domain."

"On the other hand, if it was at that time his purpose to secure some part of the lands in question, through arrangements with Messrs. Leeder and Watkins, or otherwise, this forfeiture might tend to promote his individual interests, but I had no reason to credit him with any such purpose, and I dealt with him throughout as asking the information and advice I could give only that he might fulfill his duty as a public officer."

Tillman Makes Reply.

WASHINGTON, D. C., January 12.—Senator Tillman late to-night, after seeing the statement given out by Attorney-General Bonaparte, made reply thereto, declaring that the difference between his explanation of the interview between the Attorney-General and himself in regard to the Oregon land grants and the explanation given by Mr. Bonaparte is one of memory, not of veracity.

Senator Tillman asserted that he is willing to place his oath alongside that of the Attorney-General as to what he said at that time. He declared that he told Mr. Bonaparte that he feared to secure some of the land for himself, if possible. He said that it was his public duty to attempt to secure a cancellation of the land patents, if possible; his private right, therefore, to secure some of the land, if he chose.

Senator Tillman's statement concludes: "If the Attorney-General is ready to swear that I never told him my interest was excited, and the information I had sought was due to my desire to purchase the military road lands, I am equally ready to swear that I did, and leave the people of the country to believe whichever one of us they chose. Speaking of the railroad lands, his statement is absolutely correct in every particular; speaking of the military road lands, my statement is absolutely correct."

"Dark and Crooked Ways."

WASHINGTON, D. C., January 12.—"Many people are sending me material in regard to Roosevelt's dark and in which the choir and audience participated. (Continued on Seventh Page.)"

FIVE THOUSAND WOMEN HEAR HIM

Crowd Swarmed Around Auditorium Doors, Many Being Crushed Against the Walls.

GOT THERE BEFORE HALL WAS OPENED

From All Parts of Town Women and Girls Go Without Escorts, and Then Go Home Alone. Dr. Chapman's Strong Plea to Save Husbands and Sons.

Program for To-Day.

- 11 A. M.—Quiet hour service, St. Paul's Church, Dr. Chapman.
- 11 A. M.—Street Railroad Y. M. C. A., Rev. Daniel S. Toy.
- 12 noon—Southern Railroad shops, Manchester, Mr. and Mrs. Asher.
- 12 noon—Paul's Church Conference on personal work, leader, Ralph C. Norton.
- 3 P. M.—St. John's Episcopal Church, Rev. C. T. Schaeffer.
- 3 P. M.—Central Methodist Church, Rev. Thomas Needham.
- 330 P. M.—Central Methodist Episcopal Church, Manchester, Dr. Granstaff.
- 4 P. M.—Christ Episcopal Church, Rev. Daniel S. Toy.
- 4 P. M.—Centenary Methodist Episcopal Church, for women only, Mrs. Asher.
- 4 P. M.—First Baptist Church, young people, Rev. C. T. Schaeffer.
- 4 P. M.—City Auditorium, Rev. J. Wilbur Chapman, men only.
- 8 P. M.—First Baptist Church, Rev. Ora Samuel Gray, women only.
- 8 P. M.—First Baptist Church, Rev. Ora Samuel Gray, men only.
- 8 P. M.—Broadway Memorial Church, Rev. C. T. Schaeffer, women only.
- 8 P. M.—Fulton Baptist Church, Rev. Thomas Needham, women only.
- 730 P. M.—Central Methodist Episcopal Church, Manchester, Rev. Frank Granstaff, women only.

In case the Auditorium is filled special arrangements will be made to conduct in the following churches in the order named: Holy Trinity, Park Place, Grove Avenue Baptist.

LAUGHING, pulling, screaming, pushing, and shoving, more than 5,000 women and girls frantically shoved their way into every entrance to the City Auditorium last night to hear Dr. J. Wilbur Chapman preach a strong and effective sermon to the women of the city.

Although the doors were opened fifteen minutes earlier than usual, more than enough women were on hand long before that hour to fill the structure from pit to gallery.

As early as 7 o'clock the crowd began assembling. Cars packed almost to suffocation, and every few minutes, and hundreds of women came on foot from almost every direction. They came in parties of two or three, or more, and for the most part they were without male escorts. Immediately they took up positions in front of the various entrances, patiently waiting to be admitted.

Constantly the crowd increased until it filled the sidewalks and extended far out into the streets.

Mad Rush for Doors.

Finally, when the doors were opened at 8:30 o'clock, a mad rush, almost frantically, the policemen and firemen tried to stem the crush at the doors, but with little success. The sole object of the crowd was to get into the building as quickly as possible, and by any means at hand. Again and again at one door or another a shriek of agony would go up when some woman or girl would be mashed against the edge of a door.

There was another rush when the last service ended, but this was not near so great as the opening. A light rain was falling at that time and a cold northeast wind was blowing. The women were crowded away in little parties without male attendants. Many of them had to walk several blocks to their homes, while many others took cars and then walked many blocks after leaving the cars.

Immediately after the building was filled, and before the services began, Dr. William L. Ball, pastor of the Tabernacle Baptist Church, made an announcement relative to the opening of the doors. He said that a great deal had been said about the matter, but that the criticism came from people who were not wise interested or affected.

In "The King's Business."

"We are in 'The King's Business.' We are here to save souls," he said. "If we opened the doors at 7 o'clock there would be just as great a crowd from 8:30 to 10 as there is from 7 to 8:30. The business men who do not get here earlier would find the building filled with women and children. We have considered this matter carefully and have decided to open the doors at 7:30 o'clock hereafter. Those who fail to get in can attend the overflow meetings nearby, and there they will receive cards entitling them to be admitted to the auditorium the following night before the doors are opened. That is fair enough," concluded Dr. Ball.

After a brief song service, which was led by Mr. Charles M. Alexander, and in which the choir and audience participated. (Continued on Seventh Page.)

ANOTHER HORROR IN MINE REGION

More Than One Hundred Lives Are Snuffed Out in Frightful Explosion.

NO HOPE LEFT FOR ENTOMBED WORKMEN

Debris and Flames Thrown from Both Ends of Four-Mile Entry. Wreckage of Explosion, Which Killed Fifty Men Had Not Yet Been Cleared Away.

BLUEFIELD, W. VA., January 12.—An explosion to-day in the mines of the Lick Branch colliery snuffed out more than 100 lives. In these same mines two weeks ago to a day fifty miners were killed by a similar explosion.

In the quiet of the early morning there came like the sound of thunder, a mighty rumbling in the bowels of the earth which reverberated along the miles of corridors and air passages crowded with those who worked there. Above the tons of earth and stone that lay between the workings and the mountain's crown giant trees quivered from the force of the concussion, and from the mine's mouth the forces of the earth set free, belched forth a cloud of flame, soot, dust and debris, heavy timbers, broken mine cars and even a massive motor used to haul the cars, were hurled into the air. Scarcely had the detonation died away before a throng of terrorized women and children, their feet sped by anxiety and dread, rushed to the mine mouth and implored those there to allow them to aid in the effort to save some of their loved ones who might still be alive within.

Mine Foreman Bowers, who was near the entrance, was blown from his feet, but managed to crawl out safely, as did also Robert Smith, miner.

With the foreman was a miner named Holliday, and he, too, was blown over. A rescue party, organized on the spot, rushed into the jaws of the smoking mine, and tried to rescue him. They were driven back by the deadly fumes of the after-gases, and were compelled to leave him to his fate.

A train was rushed from the city to the scene of the disaster. Twenty miles away, carrying bratticings and other material to be used in the work of exploration and rescue.

There were supposed to be sixty to eighty men in the section of the mine affected. The debris from the explosion of two weeks ago had not been cleared away, and twenty men were engaged in this work. Nineteen men, in fact, were killed, and it is feared that all of these men were lost.

The explosion was in a different part of the mine from that of two weeks ago. Since the catastrophe the mine has been inspected by government officials and by the most experienced mine men in the region, and all it is said, expressed the opinion that it was safe.

None of the bodies have been recovered. It is expected that a part of the mine in which eight men were at work will be reached before morning.

No Doubt of Their Death.

One rescue party came in sight of six bodies, but was forced back. The latest estimate of the number of men entombed is more than one hundred. That all are dead there are no doubts. The fire in the mine and the deadly gases, to say nothing of the awful force of the explosion, precludes any chance of rescuing any of the men alive.

The main entry of the mine is four miles long, running from one side of the mountain to the other. Debris was blown from both ends, which gives some idea of the tremendous force of the explosion.

It is reasonably certain that all of the bodies will never be recovered. Some of them were blown to pieces and others incinerated, no doubt. The fans which furnish the fresh air for the workings, as in the former explosion, were disabled, and are forcing fresh air into the mines.

Two brothers named, Surratt, of Speedwell, Va., who went to the mine at the time of the explosion, through curiosity, accounted positions and both are in the mine. State Mine Inspectors Phillips and Nicholson are at the mine and are directing the work of rescue. Crews have been formed and are venturing in as far as the air is pure enough to breathe, in their efforts to reach those entombed.

Bystanders say that at the time of the explosion immense clouds of soot and smoke gushed from the mine almost simultaneously with the explosion, and in enormous volumes into the mine.

On the Tug River side, four miles from the main entrance, the smoke and flames gushed from the entry, burning the twigs and small limbs from trees that grew near it. The damage to the mine cannot be estimated.

WAR CLOUD VANISHES

Turkey Accepts Austro-Hungarian Offer of \$10,000,000.

CONSTANTINOPLE, January 12.—The Turkish government accepts the Austro-Hungarian offer of £2,500,000 Turkish (\$10,000,000) indemnity for the annexation of Bosnia and Herzegovina, thus removing every possibility of a Balkan war. The grand vizier, Kiamil Pasha, received Marquis Pallavicini, the Austro-Hungarian ambassador, at noon to-day and notified him of the decision of the Council of Ministers.

The grand vizier made an effort to induce Austria to increase the compensation another half million pounds, but Austria refused to do so. The increase in the amount was out of the question. If the offer was rejected the declared negotiations would be broken off.

The negotiations thus have been successfully concluded, and the points in the agreement will be embodied in a protocol. It is believed that the settlement of the Balkan question will facilitate until understanding with Bulgaria.

May Have Irritating Effect. VIENNA, January 12.—It is felt here that the settlement reached between Austria-Hungary and Turkey may have an irritating effect on the other countries concerned in the Balkan question. According to reports that have come into Vienna, Serbia and Montenegro resent the fact that they were not considered in the arrangement, and that they are expected to raise objections. But the agreement between the two principal powers has made war to-day a more remote possibility than at any time since the annexation of Bosnia.

The greatest satisfaction is expressed on all sides at the successful conclusion of the negotiations, as it has believed that war would be averted.

Rebels Austrian Trade. The next care of the Austro-Hungarian government will be to rebuke the Austro-Hungarian trade in Turkey by the removal of the boycott which led to its collapse. The government continues in the belief that Serbia has no grounds for complaint, and that it is a necessary preparation in the annexed provinces and on the Serbian and Montenegrin frontiers.

The announcement that the Turkish government had accepted the Austro-Hungarian offer is a bitter disappointment to the Serbian government. The cabinet was hurriedly called to order immediately after the foreign office had received the news. The King presided, and the new situation created by the settlement between Turkey and Austria-Hungary was discussed at much length.

The ministry for war ordered 1,200 additional horses to be bought to-day. The newspapers declare hotly against the Austro-Hungarian offer, and that the people before being permitted definitely to possess Bosnia.

LETTER FROM MURDERER

Carmichael Wrote to Brother in West Virginia Telling of His Crime.

WELLSBURG, W. VA., Jan. 12.—Edmund Carmichael, who ended his life in Carthage, Ill., while the agencies of the law were searching the country for him in connection with the murder of a Chicago woman, shortly before committing suicide wrote his brother, M. C. Carmichael, of this place, confessing to the Chicago homicide. The letter came to-day. It is in part as follows:

"Carthage, Ill., Jan. 10, 1909. 'M. C. Carmichael, Wellsburg, W. Va. 'Dear Brother.—No doubt you have heard of the Chicago case of which I have been guilty. I can't tell you how I am suffering now on account of it. I know that I did the deed, but I hardly know how or why. One day I was sitting in a chair, and I felt a hypnotic power over me that gave me the horrors. 'I shall soon deliver myself to the State authorities or to the Judge of the Court, and I shall be hanged. I am now in a quiet, where they may not find me in a long time, but my conscience is here, and hell itself can't be but like a hammer on my head. 'I am sorry that I have so shocked you all, but beg sorry does not make amends. Good-by, and just pity me because I am your brother. 'J. H. C.'"

Stillman Is Out

He Resigns Presidency of National City Bank of New York.

NEW YORK, January 12.—James Stillman, as president of the National City Bank, and George F. Baker, as president of the First National Bank, resigned to-day. Both had intended resigning their posts a year ago, but the unsettled financial conditions just preceding the last annual meetings led them to consider the time unpropitious.

Vice-President F. L. Hine succeeded Mr. Baker as president, though Mr. Baker remained as chairman of the board of directors. Vice-President A. Vanderlip succeeded Mr. Stillman as president. Mr. Stillman remained chairman of the board of directors.

WILL APPOINT SEAWELL

Roosevelt Declines That He Shall Succeed Judge Purnell.

WASHINGTON, D. C., January 12.—President Roosevelt declined to accept the nomination to-day that unless his mind changed he would appoint H. F. Seawell, of Moore county, judge of the Eastern North Carolina district. He declined the late Judge Thomas H. Purnell.

The endorsement of Judge Jeter C. Pritchard and National Committee Chairman C. C. Duncanson yesterday made his election sure, as he is a resident of the district, ranks well at the bar, and has the reputation of being a man of fine character. At the age of 40, he has attained more than ordinary success at the bar.

DISCUSS RATE CASE

Conference in Washington Results in Agreement.

CUT OUT SEABROOK AFTER LONG FIGHT

Alderman Wood Tells Board Locality Is Not Desirable and New Site Is Found.

WEATHER BUREAU TO CHIMBORAZO

Get Expert to Examine Trafalgar's Electric Light Plants, So as to Prevent Another Flume Fiasco—Blues Armory Approved—Want Clear Water from Basin.

INFLUENCED by the conservative address of President Wood, the Board of Aldermen last night amended the playground ordinance, eliminating the Seabrook Warehouse site from the list, receiving an offer from James T. Sloan to present the city with a lot for play purposes further up on Church Hill. Plans for the new municipal electric plant were ordered examined by some expert engineer before their acceptance, the temper of the Board showing plainly that it was not willing to have on its hands another "flume" fiasco.

Other important matters disposed of were the award of the contract for the Blues Armory, and an appropriation of \$12,325 to pay the cost of a fireproof building; granting the United States government a weather observatory, and directing the Committee on Water to secure plans and bids for a new flume from the settling basin to the pump-house.

On the roll-call new measures chiefly had reference to amounts to be included in the budget for specific purposes. Mr. Bennett wanted an appropriation for smooth paving of Belvidere Street, and for continuing this work on Grace Street. Mr. Elliott asked \$50,000 to continue paving of Monument Avenue. Mr. Whitely wanted \$10,000 to improve the Howitzers' Armory, and \$25,000 to place granite curbs on the Boulevard. All were referred to the Finance Committee.

Mr. Gilman asked suspension of the rules and had placed on its passage a resolution directing the City Attorney to acquire land for a park at Monument Avenue and Cleveland Street, in the annexed territory, no concluded action to be taken until the price is reported. He expressed the opinion that it was a triangular block, which should be held by the city. The resolution was adopted without objection.

An ordinance offered by Mr. Powers, increasing salaries of the employees in the Building Inspector's office went to the Ordinance, Charter and Reform Committee, as did a communication from the Board of Health asking that the salary of the chief health officer be made \$3,500 a year. An ordinance offered by Mr. Whitely, regulating driving on the streets. The same disposition was made of a resolution from the Committee on Relief of the Poor increasing the number of nurses at the City Home.

Cut Out Seabrook's Site.

Mr. Wood surrendered the chair to Vice-President Vanderlip, and asked for the table the playground ordinance, offering an amendment striking out the section relating to Seabrook Warehouse, at Seventeenth and Grace Streets, and inserting a provision for the acquisition of a new ground on a site to be hereafter selected, between Eighteenth and Twenty-fifth and Franklin and Marshall Streets, and appropriating \$2,000 for maintenance, the same amount as provided for the Seabrook playground.

Mr. Wood made an earnest and effective speech for his amendment, in which there was no word of abuse or of criticism. He indicated that he had been an ardent advocate of playgrounds, feeling that Richmond had not yet reached the stage of development where they were a necessity.

"The gentlemen who have approached me on this proposition, all asked me to have no children," he said. "My mother raised seven, and I have had some experience myself as to the needs of a child. I haven't yet been able to see the necessity of teaching a child to play. The man who has been thrown on their own resources since childhood and so gained self-confidence are the men who rule this country to-day."

You raise a playground with the idea that the city is going to give him everything, and you will have a generation of weaklings that will expect the city to provide for it, and who will do nothing for the upbuilding of the city. You take your child away from home in the morning for school, and in the afternoon for playground exercise, and you have taken away the strongest moral influence, the home. But others differ with me, and if the people attend playgrounds, why let us have them."

Location Not Desirable.

"Now, as to Seabrook Warehouse, it stands in a locality from which people have been moving away, and which is being filled up by negroes. It is not to be a color playground. It is not suitably located. From Seventeenth Street west there are no dwellings except those occupied by negroes. It is all railroad tracks and hillsides. In front is the market and market court. Two sides furnish no population to provide children."

"It is entirely surrounded by street tracks, a constant element of danger. It will not help the morality of any child to go down there. If the property is worth half what it is said to be worth, and citizens are crying for sewers and gas and water, we should dispose of it. If we give it away for a playground, we will never get it back."

Mr. Holson replied, arguing for the ordinance as recommended, saying that on a basis of recent sales per front foot in that locality the property was worth \$67.95.

"I am myself prepared, on behalf of certain friends, to offer \$15,000 for the property this morning," said Mr. Holson. "You advocate selling it."